

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 01, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Francis Joe Rodriguez Case Number: 0980 1:15CR02028-SAB-1
Address of Offender: Yakima, Washington 98902
Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge
Date of Original Sentence: November 14, 2017
Original Offense: Original Offense: Conspiracy to Distribute Methamphetamine,
21 U.S.C. §§ 841(a)(1), (b)(1)© and 846
Original Sentence: Prison - 366 days; Type of Supervision: Supervised Release
TSR - 36 months
Revocation: Prison - 2 months;
September 19, 2018 TSR - 34 months
Asst. U.S. Attorney: Ben Seal Date Supervision Commenced: November 15, 2018
Defense Attorney: Jeremy Sporn Date Supervision Expires: September 14, 2021

PETITIONING THE COURT

To incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court on February 8, 2019.

The probation officer believes that the offender has violated the following condition of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
2	<p><u>Special Condition # 3:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> Mr. Rodriguez is alleged to have consumed methamphetamine on or about February 13, 2019.</p> <p>Mr. Rodriguez' conditions were reviewed with him on November 16, 2018. He signed acknowledging an understanding of his conditions which include special condition number 3, as noted above.</p>

Re: Rodriguez, Francis Joe

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On February 13, 2019, Mr. Rodriguez provided a presumptive positive urinalysis (UA) for the presence of methamphetamine. Mr. Rodriguez denied consuming any controlled substances and the UA was sent to Alere Toxicology Services (Alere) for confirmation testing. On February 26, 2019, this officer received a positive drug test report from Alere showing positive results for the presence of methamphetamine.

The U.S. Probation Office respectfully recommends the Court incorporate the violation contained in this petition in future proceedings with the violation previously reported to the Court on February 8, 2019. Mr. Rodriguez is scheduled to appear for an initial appearance for supervised release violations on March 1, 2019, in Yakima, Washington.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 28, 2019

s/Phil Casey

Phil Casey

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

03/01/2019

Date